

**Washington State Department of Early Learning
Semi-Annual Rule Making Agenda under RCW 34.05.314
January 1, 2009 through June 30, 2009**

**Filed with Code Reviser
as WSR 09-04-083
Updated 03-11-09**

The Department of Early Learning (DEL) prepares a semi-annual rule making agenda in January and July of each year to let the public know about DEL rules underway or planned. The current agenda also updates the 2007 preliminary Rule Review Plan prepared under RCW 43.215.502. DEL rules are part of the Washington Administrative Code (WAC), and permanent DEL rules can be found online at [chapter 170 WAC](#). This agenda includes links to rule making notices that DEL has filed with the Office of the Code Reviser for publication in the [Washington State Register](#).

Subject Matter	WAC Chapter or Sections	Description (Contact the DEL Rules Coordinator at rules@del.wa.gov for current information on these rules proceedings.)	Emergency Rule (CR-103)	Pre-Proposal Notice (CR-101)	Proposed Rule CR-102 and Public Hearing or CR-105 Expedited Rule	Permanent Rule (CR-103)
Common Terms, Definitions and Standards	New WAC chapter, and possible revisions of other DEL rules in title 170 WAC	Adopting a new DEL WAC chapter to include terms, definitions and standards that apply to more than one DEL WAC chapter or program. Other DEL WAC chapters may be revised to eliminate duplication.	None.	Filed 12/24/08 as WSR 09-01-185 . Rule review to start in spring 2009.	Not determined yet.	Anticipated in 2010.
Public Records, DEL Organization	New Chapter 170-01	Adopting a new DEL WAC chapter on public records requests, and adopting DEL organization and index rules required by law.	None	Anticipated filing this period.	Not determined yet.	Not determined yet.
Background Checks	Chapter 170-06	Revising the list of crimes that may disqualify a person from child care, and procedures for disqualification, reconsideration and due process. Reviewing the rules for consistency with the law and considering whether to apply DEL background check rules to other early learning programs.	None.	Filed 12/24/08 as WSR 09-01-184 . Rule review to start in spring 2009.	Not determined yet.	Anticipated in 2010.
Head Start Coordination	Chapter 170-12	No current rule making activity.	None.			

Subject Matter	WAC Chapter or Sections	Description (Contact the DEL Rules Coordinator at rules@del.wa.gov for current information on these rules proceedings.)	Emergency Rule (CR-103)	Pre-Proposal Notice (CR-101)	Proposed Rule CR-102 and Public Hearing or CR-105 Expedited Rule	Permanent Rule (CR-103)
Early Childhood Education and Assistance Program (ECEAP)	Chapter 170-100	No current rule making activity.	None.			
Working Connections Child Care Subsidies	Chapter 170-290	The WCCC rules were moved from DSHS chapter 388-290 WAC to DEL chapter 170-290 on March 27, 2008; see filing number WSR 08-08-047 .	None.	Filed 11-02-07 As WSR 07-22-065 (this notice was replaced by WSR 09-04-084).	N/A	N/A
Working Connections Child Care (WCCC) Subsidies; and Seasonal Child Care Subsidies	Chapters 170-290 and 170-292	Revising the entire WCCC chapter and combining the Seasonal Child Care into WAC 170-290. Assuring rules are consistent with current law, federal requirements and the child care Collective Bargaining Agreement. Reviewing child care subsidy policy options to increase program effectiveness and efficiency. Changing co-pays and making other policy revisions as directed by the Legislature or the Governor. Revising the rules to make them clearer, and reorganizing the WAC chapter.	None.	Filed 02/03/09 as WSR 09-04-084 . Rules may be proposed and adopted in phases.	First phase proposal anticipated this period. Other phases to be determined.	First phase rules may be adopted this period. Other phases to be determined.

Subject Matter	WAC Chapter or Sections	Description (Contact the DEL Rules Coordinator at rules@del.wa.gov for current information on these rules proceedings.)	Emergency Rule (CR-103)	Pre-Proposal Notice (CR-101)	Proposed Rule CR-102 and Public Hearing or CR-105 Expedited Rule	Permanent Rule (CR-103)
Seasonal Child Care Subsidies	Chapter 170-292	Updating internal references in this chapter to be consistent with other DEL rules. Clarifying other existing sections for consistent application of the rules. Adopting program definitions including "eligible child."	None.	Filed 02/16/07 as WSR 07-05-048 .	Proposal filed as WSR 08-22-102 ; Public Hearings 12/11/08 and 1/21/09; Continuance notice filed as WSR 09-01-186 .	To be determined.
School-Age Child Care Centers	Chapter 170-151	Revising the entire School Age Child Care WAC chapter. DEL plans to contract with a non-governmental organization to develop recommendations for revising the rules.		CR-101 filing and rule review anticipated to start this report period.	Anticipated in 2010.	To be determined.
Child Care Centers	Chapter 170-295	No current rule-making activity.		CR-101 filing and Rule Review anticipated to start in early to mid 2010.		
Family Home Child Care	Chapter 170-296	Revising the entire Family Home Child Care chapter using a Negotiated Rule Making Team consisting of parents, child care providers, the Service Employees International Union, advocates, child care resource and referral network and DEL staff.	None	Filed 12/01/06 As WSR 06-24-051 . Rule review January 2007 through mid 2009.	Draft rules are being developed by the NRM Team – Proposal anticipated in late 2009.	To be determined in 2009.

Rules adopted in the previous 12 months:

Hearing Rules	Chapter 170-03	Adopting a new WAC chapter to replace DSHS administrative hearing rules that no longer applied when DEL was separated from DSHS in 2006.	Filed 2/1/08 as WSR 08-04-060 . (Replaced by the permanent rules filed as WSR 08-06-102).			Filed 3/5/08 As WSR 08-06-102 . Permanent rules were effective 4/6/08.
Background Checks	Chapter 170-06	Adopting a new WAC chapter to replace DSHS background check rules that no longer applied when DEL was separated from DSHS in 2006.	Filed 2/1/08 as WSR 08-04-060 . (Replaced by the permanent rules filed as WSR 08-10-041).			Filed 4/30/08 as WSR 08-10-041 . Permanent rules were effective 5/31/08

Notes:

This agenda is prepared for information purposes, and anticipated rule making dates or periods noted in this agenda are planning estimates only. Any errors in this agenda do not affect the actual Department of Early Learning rules or DEL rule making notices filed with the Office of the Code Reviser and published in the Washington State Register. There may be additional DEL rule making that cannot be forecasted as the Department initiates rule proceedings to implement new state laws, to meet federal requirements, or to meet unforeseen circumstances. Emergency rules, if any, noted are those in effect at the time this agenda was filed with the Code Reviser, or were the last emergency rules filed on the particular subject. For more information about Department of Early Learning rule making, or to join a mailing list to receive DEL rule notices and materials, please email DEL at rules@del.wa.gov, or write to the: DEL Rules Coordinator, PO Box 40970, Olympia, WA 98504-0970.

CR stands for Code Reviser. The Code Reviser's Office creates the rule-making notice forms used by all state agencies.

CR-101 is a Pre-proposal Statement of Inquiry notice filed under RCW 34.05.310.

CR-102 is a Proposed Rule Making notice filed under RCW 34.05.320, Continuance notice under RCW 34.05.325, or Supplemental Proposed Rule Making notice under RCW 34.05.340.

CR-103 is a Rule Making Order filed under RCW 34.05.360 for permanent rules, or under RCW 34.05.350 for emergency rules.

CR-105 is an Expedited Rule Making notice under RCW 34.05.353.

WSR number is the official filing number assigned by the Office of the Code Reviser and entered on materials submitted for publication in the Washington State Register.